

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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Zalton E. Brooks,

Plaintiff,

v.

Topaz Super Carwash; Bruno Bernada,
 Owners.

Defendants.

Case No. 2:23-cv-02060-APG-DJA

Order

Nevada Southern Detention Center inmate, Plaintiff Zalton E. Brooks, submitted initiating documents to the Court which include an application to proceed *in forma pauperis* and a complaint. (ECF Nos. 1, 1-1). Under 28 U.S.C. § 1915(a)(2) and Local Rule LSR 1-2, an incarcerated plaintiff seeking to proceed without paying the filing fee must complete an application to proceed *in forma pauperis* and attach: (1) an inmate account statement for the past six months; and (2) a financial certificate from the institution where he is incarcerated certifying the amount of funds in the plaintiff's trust account at the institution. If the plaintiff has been incarcerated at the institution for fewer than six months, the certificate must show the account's activity for the shortened period. LSR 1-2.

Here, Plaintiff's application is incomplete and on the incorrect form. Plaintiff's application is incomplete because it does not include the financial certificate, which is on page four of this Court's form application. Additionally, Plaintiff did not submit an inmate account statement for the past six months. Finally, it appears that Plaintiff's application is missing these items because he has filled out the form for a non-inmate. The Court will therefore deny Plaintiff's application to proceed *in forma pauperis* without prejudice. If Plaintiff chooses to file another *in forma pauperis* application, then he must file a complete application on this Court's approved form including all the documents referenced in this order.

1 **IT IS THEREFORE ORDERED** that Plaintiff's application to proceed *in forma*
2 *pauperis* (ECF No. 1) is **denied without prejudice**.

3 **IT IS FURTHER ORDERED** that the Clerk of Court is kindly directed to send Plaintiff
4 a blank application to proceed *in forma pauperis* by an inmate as well as the accompanying
5 instruction packet.

6 **IT IS FURTHER ORDERED** that by **March 8, 2024**, Plaintiff must either: (1) file a
7 complete application to proceed *in forma pauperis*, on the correct form with complete financial
8 attachments; or (2) pay the full \$405 filing fee for a civil action, which includes the \$350 filing
9 fee and the \$55 administrative fee. Failure to comply with this order will result in a
10 recommendation to the District Judge that this action be dismissed.

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12 DATED: February 7, 2024

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16 DANIEL J. ALBREGTS
17 UNITED STATES MAGISTRATE JUDGE
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